

Document No. 2372

EXHIBIT NO. 746

The note is delivered by Troyanovsky to Uchida of January 4, 1933 about the conclusion of the Soviet-Japanese Pact of non-aggression, on three sheets.

The government of the Union of Soviet Socialist Republics became acquainted with the contents of the verbal note of the Japanese Foreign Office of December 13 of this year in which the Japanese Government declined for the present the proposal of the conclusion of the Soviet-Japanese non-aggression pact, made on December 31, 1931 in Moscow by Litvinov, People's Commissar for Foreign Affairs, to Mr. Yoshizawa who was returning to his country to occupy the post of Foreign Minister. In the above verbal note is recognized the existence of the opinion in Japan to the effect that "in view of the existence of different problems of such nature as may lead to differences between the two nations, it would be preferable to clear up the atmosphere and to provide for the settlement of these questions by means of a preliminary conclusion of such a non-aggression agreement." This argument reflects the similar viewpoint of the Soviet Government and it was the point of departure in its proposal of the conclusion of the non-aggression pact. The Soviet Government notes with satisfaction that this opinion is shared by the Japanese circles.

Unfortunately, we must state, that the Japanese Government did not find it possible to follow this point of view and adhered to the opposite opinion cited in the verbal note in the following vein: "first of all efforts should be made to remove the cause of such differences prior to the consideration of problems of a more general nature such as the conclusion of a non-aggression agreement."

The consistent development of this argument will inevitably result in the complete negation both of the idea of non-aggression pacts and the refusal of all nations to use war as an instrument of settling controversies, the latter being the essential element of the Briand-Kellogg Pact. The Japanese Government evidently believes that the conclusion of non-aggression agreements is pertinent only between two states which have no controversies. Under the conditions of the present economic and political interdependence between nations such state of affairs is hardly existing, nor is it possible, especially between two states which are more or less close neighbors.

The solution of now existing disputes does not prevent from breaking out new ones in the future, particularly if the policy of the state develops along the line of aggression and extension of its sphere of influence.

It is noteworthy that the states, whether close neighbors or no neighbors at all with the Union of Soviet Socialist Republics, which concluded non-aggression pacts with it, by no means admitted the absence of any mutual claims or controversies. Particularly, the Union of Soviet Socialist Republics quite recently gave its consent to the conclusion of a non-aggression pact with a neighboring state, with which it has a disputable border and to which it has well grounded territorial claims.

The substance of non-aggression pacts, as well as the substance of the Kellogg-Briand Pact lies in the principle that the states involved, taking into consideration the existence of controversies between them at present, or the possibility of new controversies in the future, refuse to settle them by the use of force. The Soviet Government on its part in no way considers that between the Union of Soviet Socialist Republics and Japan there are controversies which cannot be settled, or which the Soviet Government refuses to settle by peaceful means. The negation of this would be contradictory to the Kellogg-Briand Pact, to which both the Union of Soviet Socialist Republics and Japan are signatories. Proposing a non-aggression pact with Japan, the Soviet Government has in no way ignored that international instrument, but meant to consolidate it by means of bilateral agreement to amplify it and to adapt it to the peculiarities of the relations between both nations. The proposal of the Soviet Government was not called forth by the considerations of the moment, but resulted from all its peaceful policy, and therefore continues in force for the future. On the other hand, it is permissible to doubt that the refusal of one party to conclude the non-aggression pact would contribute to the creation of a favorable atmosphere for the solution of all controversies and the settling of all misunderstandings: ..."

Delivered to Troyanovsky by Uchida January 4, 1933.

The Copy is correct: Director of the State Central Record office of the U.S.S.R.

Professor Maksakov.

May 21, 1946

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

I, Kaplan, B.A., hereby certify that I am thoroughly conversant with the Russian and English languages: and the above is a correct and true translation of the indicated Document:

Signature: V. KAPLAN

## C E R T I F I C A T E

I, Lt. Colonel TARANENKO G. I., a member of the military forces of the U.S.S.R., do hereby certify that the text of the note is delivered by TROYANOVSKY to UCHIDA of January 4, 1933 about the conclusion of the Soviet-Japanese Pact of non-aggression, on 3 sheets was delivered to me by the Central State Historical Records Office of the USSR on or about May 21, 1946, and that the original of the said document may be found in the Central Historical Records Office of the USSR

I do further certify \_\_\_\_\_

Lt. Col. TARANENKO /s/  
(Signature and rank.)

Tokyo, Japan

July 2, 1946